

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

ERIC MEDINA-FLORES,

Defendant.

AUG 27 1973

Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 72-CR-83

ORDER MODIFYING JUDGMENT AND SENTENCE

NOW, on this 27th day of August, 1973, the above cause comes on for hearing, upon defendant's motion for reduction of sentence pursuant to Rule 35 F.R.Cr.P. Defendant is represented by his attorney of record, Mr. Ray Wilburn, and plaintiff, United States of America, by Ben Baker, Assistant United States Attorney.

The court, having reviewed the pleadings on file, and having received and reviewed a progress report from the Federal Correctional Institute, LaTuna, Texas, wherein defendant is confined, serving the sentence hereinbefore imposed, and having heard the argument of counsel, finds that the sentence in this cause should be modified only to incorporate the provisions of Title 18, U. S. Code, 4208(a).

IT IS THEREFORE ORDERED that the sentence in this cause of five years on Count One, and five years on Count Two, to be served concurrently with the sentence in Count One, and the special parole term of two years is ordered served under the provisions of 18 U. S. Code, 4208(a)(2), and the defendant may become eligible for parole at such time as the Board of Parole may determine.

THOMAS MORRISON

United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE **FILED**

NORTHERN DISTRICT OF OKLAHOMA

AUG 16 1973

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LARRY MORA ROMAN,

Defendant.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

NO. 73-CR-31

ORDER MODIFYING JUDGMENT AND SENTENCE


The Court has for consideration the requested 90-day progress report regarding the defendant herein from the Bureau of Prisons. Upon study thereof, review of the file, and reflection, the Court finds that the defendant had been doing very well in the community for some years and that continued imprisonment might well prove detrimental to his present incentives. Therefore, the Court finds that a modification of sentence should be granted.

IT IS, THEREFORE, ORDERED that the judgment and sentence entered herein on April 25, 1973, be and it is hereby modified to read as follows:

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of six (6) months on Count One.

It is Adjudged that the imposition of sentence in Counts Two and Three is hereby suspended, and the defendant is placed on probation for a period of Three (3) years, as to each Count, concurrently, to begin at the expiration of the sentence in Count One.

Dated this 16th day of August, 1973, at Tulsa, Oklahoma.


CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD WAYNE WASHBURN,

Defendant.

NO. 73-CR-56

FILED

AUG 16 1973 *lem*

ORDER MODIFYING JUDGMENT AND SENTENCE

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IT IS, THEREFORE, ORDERED that the judgment and sentence entered herein on April 24, 1973, be and it is hereby modified to read as follows:

Dated this 16th day of August, 1973, at Tulsa, Oklahoma.

William E. Barrow
CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES E. HENSON,

Defendant.

Jan 10 1974
U. S. DISTRICT COURT

NO. 72-CR-187

ORDER MODIFYING JUDGMENT AND SENTENCE


The Court has for consideration letters requesting a modification or reduction of sentence pursuant to Rule 35, Federal Rules of Criminal Procedure, in the above captioned matter.

Upon review, study and reflection of the proceedings herein, the Court finds that the defendant has shown a realization of the error of his behavior and that the motions for reduction or modification of sentence should be sustained.

IT IS, THEREFORE, ORDERED that the judgment and sentence entered herein on April 17, 1973, be and it is hereby modified to read as follows:

IT IS ADJUDGED THAT THE defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of eighteen (18) months.

Dated this 14th day of August, 1973, at Tulsa, Oklahoma.



CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 14 1973

UNITED STATES OF AMERICA

v.

No. 73-CR-79

Jack C. Silver, Clerk
U. S. DISTRICT COURTMARY E. SPELL,
a/k/a Mary E. Mitchell,
-Defendant.

On this 14th day of August, 1973, came the attorney for the government and the defendant appeared in person, and with counsel, Ainslie Perrault, Jr., Court Appointed.

IT IS ADJUDGED that the defendant upon his plea of guilty and the Court being satisfied there is a factual basis for the plea,

has been convicted of the offense of having violated Title 18, U.S.C., 656, in that on or about August 21, 1972, and September 1, 1972, in the Western District of New York, said Defendant, being an employee of Marine Midland Bank - Western, a member of the Federal Reserve System, with intent to injure and defraud said member, wilfully embezzled and converted to her own use the sum of \$220.00 and \$100.00, respectively, of the moneys and funds of such bank,

as charged¹ in the Indictment, and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED² that the Imposition of Sentence in Counts 1 and 2, is hereby Suspended and that the defendant is placed on probation for a period of Two (2) Years from this date, as to each count, concurrently.

It is further adjudged that the defendant, Mary E. Spell, a/k/a Mary E. Mitchell, make restitution in the amount of \$320.00, at the rate of \$15.00 per month, beginning September, 1973.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to Form:

Ben F. Baker

Ben F. Baker, Asst. U.S. Attorney

William E. Benson

United States District Judge.

Clerk.

¹ Insert "by [name of counsel], counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

² Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

³ Insert "in count(s) number" "if required."

⁴ If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of _____ years from this date."

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 14 1973

UNITED STATES OF AMERICA

v.

ANNA LOU BREEDLOVE

No. 73-CR-81 Jack C. Silver, Clerk
U. S. DISTRICT COURT

On this 14th day of August, 1973, came the attorney for the government and the defendant appeared in person, and with counsel, John Street, retained,

her

IT IS ADJUDGED that the defendant upon ~~his~~ plea of guilty, and the Court being satisfied there is a factual basis for the plea,

has been convicted of the offense of having violated Title 18, U.S.C., Sec. 2314, in that on or about February 10, 1972, Anna Lou Breedlove did transport or cause to be transported in interstate commerce from Wagoner County, Oklahoma, in the Eastern District of Oklahoma, to Tyler, Texas, a falsely made and forged Republic Money Order of Dallas, No. A-20147097, in the amount of \$75.00 dated February 10, 1973, drawn on Tyler Bank and Trust Company, Tyler, Texas as charged in the information, and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Two (2) Years from this date, pursuant to the Federal Youth Correction Act, Title 18, U.S.C.A., Section 5010(a), with the special condition of probation that the defendant attempt to enroll and attend a vocational technical school.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

APPROVED AS TO FORM:

Ben F. Baker

Ben F. Baker, Asst. U. S. Atty.



United States District Judge.

Clerk.

¹ Insert "by [name of counsel], counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

² Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

³ Insert "in count(s) number" if required.

⁴ If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of _____ years from this date."

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 14 1973

UNITED STATES OF AMERICA

v.

ERNEST RUBEN HIGGS,

No. 73-CR-82

Jack C. Silver, Clerk
U. S. DISTRICT COURT

On this 14th day of August, 1973, came the attorney for the government and the defendant appeared in person, and with counsel, James Goodwin, Retained Counsel.

IT IS ADJUDGED that the defendant upon his plea of guilty, and the court being satisfied there is a factual basis for the plea,

has been convicted of the offense of having violated Title 18, U.S.C., Section 1708 and 495, in that on or about May 7, 1973, Defendant did receive the contents of a letter addressed to Joseph Asbury, in Tulsa, consisting of a U.S. Treasury check, No. 85,064,581, Symbol 2203, payable to Joseph Asbury in amount of \$78.75, which had been stolen from a postal vehicle, and Defendant did utter as true the above-mentioned check with a forged endorsement in Tulsa, Oklahoma, as charged in the Information and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the imposition of sentence is hereby suspended and the Defendant is placed on probation for a period of Three (3) Years as to Count 2, from this date, pursuant to the Federal Youth Correction Act, Title 18, U.S.C.A., 5010(a), and this period of probation is to run concurrent with the sentence imposed in case no. 73-CR-83.

Count 1 was previously dismissed by Magistrate Morris L. Bradford, as set out in the complaint.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

Allen E. Barrow
United States District Judge.

Ben F. Baker

Clerk.

Ben F. Baker, Asst. U.S. Attorney

¹ Insert "by [name of counsel], counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

² Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

³ Insert "in count(s) number" if required.

⁴ If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of _____ years from this date."

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 14 1973

UNITED STATES OF AMERICA

v.

ERNEST RUBEN HIGGS,

Defendant.

No. 73-CR-83 U. S. DISTRICT COURT
Jack C. Silver, Clerk

On this 14th day of August, 1973, came the attorney for the government and the defendant appeared in person, and with counsel, James Goodwin, retained counsel.

IT IS ADJUDGED that the defendant upon his plea of guilty, and the Court being satisfied there is a factual basis for the plea,

has been convicted of the offense of having violated Title 18, U.S.C., 495, in that on or about April 2, 1973, the Defendant did falsely make and forge the endorsement "Ruther H. Haynes" on Treasurer of the United States check, No. 31,470,913, Symbol 2203, payable to said Ruther H. Haynes, in the amount of \$526.00,

as charged in the Information, and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the imposition of sentence is hereby suspended and the Defendant is placed on probation for a period of Three (3) Years, from this date, pursuant to the Federal Youth Correction Act, Title 18, U.S.C.A. 5010(a), and the special condition of probation is that the Defendant maintain his attendance in school.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

Ben F. Baker

Ben F. Baker, Asst. U.S. Attorney

Cecil E. Bannan
United States District Judge.

Clerk.

¹ Insert "by [name of counsel], counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

² Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

³ Insert "in count(s) number" if required.

⁴ If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of _____ years from this date."

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 14 1973

UNITED STATES OF AMERICA

v.

PEDRO MARTINEZ-MIJARES, JR.

Jack C. Silver, Clerk

No. 73-CR-87 U. S. DISTRICT COURT

On this 14th day of August, 1973, came the attorney for the government and the defendant appeared in person, and with counsel, Ray Wilburn, retained.

IT IS ADJUDGED that the defendant upon his plea of guilty as to Counts 1 and 2, and the Court being satisfied there is a factual basis for the plea, has been convicted of the offense of having violated Title 8, Section 1324(a)(2), in that on or about July 29, 1973, in the Northern District of Oklahoma, Pedro Martinez-Mijares, Jr. did transport and move and attempt to transport certain aliens within the United States, knowing that certain aliens were then in the United States in violation of law, and having reasonable grounds to believe that said aliens' entry had occurred less than three years prior to the aforesaid date, as charged in the Information, and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the imposition of sentence in Counts One and Two is hereby suspended and that the defendant is placed on probation for a period of Three (3) years from this date, as to each count, to run concurrently.

IT IS FURTHER ADJUDGED that as a condition of probation, the defendant is to return to Dallas, Texas; stay employed; and not engage in transporting aliens.

IT IS FURTHER ADJUDGED that upon application of the government, Counts Three and Four of the Information are hereby dismissed.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

Ben F. Baker

Ben F. Baker, Asst. U. S. Atty.

Allen E. Barrow
United States District Judge.

Clerk.

¹ Insert "by [name of counsel], counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

² Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

³ Insert "in count(s) number" if required.

⁴ If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of _____ years from this date."

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 14 1973

UNITED STATES OF AMERICA

v.

JESUS GLORIA, JR.

No. 73-CR-88 Jack C. Silver, Clerk
U. S. DISTRICT COURT

On this 14th day of August, 1973, came the attorney for the government and the defendant appeared in person, and with counsel, Allen E. Barrow, Jr., court-appointed,

IT IS ADJUDGED that the defendant upon his plea of guilty, and the Court being satisfied there is a factual basis for the plea, has been convicted of the offense of having violated Title 8, U.S.C., Sec. 1324(a)(2), in that on or about July 29, 1973, at a point about 16 miles northeast of Miami Oklahoma, in the Northern District of Oklahoma, Jesus Gloria, Jr., knowing that certain aliens were then in the United States in violation of law, and having reasonable grounds to believe that said aliens' entry had occurred less than 3 years prior to the aforesaid date, did transport and move and attempt to transport and move said aliens within the United States in furtherance of such violation as charged in the information, and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the imposition of sentence in Counts One, Two and Three is hereby suspended and that the defendant is placed on probation for a period of Two (2) Years from this date, as to each count, concurrently.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

Ben F. Baker

Ben F. Baker, Asst. U. S. Atty.

Allen E. Barrow

United States District Judge.

Clerk.

¹ Insert "by [name of counsel], counsel" or "without counsel: the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

² Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

³ Insert "in count(s) number" if required

⁴ If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of _____ years from this date."

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 14 1973

UNITED STATES OF AMERICA

v.

RICARDO CHAVIRA-LOPEZ

No. 73-CR-91

Jack C. Silver, Clerk
U. S. DISTRICT COURT

On this 14 day of August, 1973, came the attorney for the government and the defendant appeared in person, and with counsel, George Carrasquillo, court appointed,

IT IS ADJUDGED that the defendant upon his plea of guilty, and the Court being satisfied there is a factual basis for the plea,

has been convicted of the offense of having violated Title 8, U.S.C., Sec. 1326, in that on or about August 1, 1973, at Bartlesville, Oklahoma, in the Northern District of Oklahoma, Ricardo Chavira-Lopez was found in the United States after having been arrested and deported from the United States at Brownsville, Texas, on or about August 19, 1972, and had not received the express consent of the Attorney General to reapply for admission to the United States,

as charged in the Information, and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the imposition of sentence in Count One of the Information is hereby suspended and that the defendant is placed on probation for a period of Eighteen (18) months from this date.

IT IS FURTHER ADJUDGED that as a condition of probation, the defendant will not re-enter the United States during the period of probation; defendant to be returned to Immigration Authorities for deportation.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

Ben F. Baker

Ben F. Baker, Asst. U. S. Atty.

Allen E. Burman
United States District Judge.

Clerk.

¹ Insert "by [name of counsel], counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

² Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

³ Insert "in count(s) number" if required.

⁴ If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of _____ years from this date."

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 14 1973

UNITED STATES OF AMERICA

v.

ROBERTO CHAVIRA-LOPEZ

No. 73-CR-92

Jack C. Silver, Clerk
U. S. DISTRICT COURT

On this 14th day of August, 1973, came the attorney for the government and the defendant appeared in person, and with counsel, George Carrisquillo, court appointed,

IT IS ADJUDGED that the defendant upon his plea of guilty, and the Court being satisfied there is a factual basis for the plea,

has been convicted of the offense of having violated Title 8, U.S.C. Sec. 1326, in that on or about August 1, 1973, at Bartlesville, Oklahoma, in the Northern District of Oklahoma, Roberto Chavira-Lopez was found in the United States after having been arrested and deported from the United States at Brownsville, Texas on or about August 19, 1972, and had not received the express consent of the Attorney General to reapply for admission to the United States,

as charged¹ in the Information,

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED² that the imposition of sentence is hereby suspended and that the defendant is placed on probation for a period of Eighteen (18) Months from this date.

IT IS FURTHER ADJUDGED that as a condition of probation, the defendant will not enter the United States during the period of probation; the Immigration Authorities to deport defendant.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

APPROVED AS TO FORM:

Ben F. Baker

Ben F. Baker, Asst. U. S. Atty.

Allen E. Barrow

United States District Judge.

Clerk.

¹ Insert "by [name of counsel], counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

² Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

³ Insert "in count(s) number" "if required."

⁴ If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of _____ years from this date."